

Express Mail Label No. EV 322099053 US

PATENT APPLICATION
Docket No: 15436.253.81.2

DECLARATION, POWER OF ATTORNEY, AND PETITION

I, THOMAS J. LENOSKY, declare: that I am a citizen of the United States of America; that my residence and post office address is 2000 Rock Street, No. 5, Mountain View, California 94043 ; that I verily believe I am the original, first, and sole inventor of the subject matter of the invention or discovery entitled METHOD AND APPARATUS FOR REDUCING INTERFERENCE IN A DATA STREAM USING AUTOCORRELATION DERIVED EQUALIZATION, for which a patent is sought and which is described and claimed in the application attached hereto; that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to herein; and that I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

I hereby claim the benefit under Section 120 of Title 35 of the United States Code of the earlier filed pending application, Serial No. 10/419,023, titled METHOD AND APPARATUS FOR REDUCING INTERFERENCE IN AN OPTICAL DATA STREAM USING DATA-INDEPENDENT EQUALIZATION filed April 17, 2003; and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier filed pending application in the manner provided by the first paragraph of Section 112 of Title 35 of the United States Code, I acknowledge the duty to disclose all information known to be material to patentability, as defined in Section 1.56 of Title 37 of the Code of Federal Regulations, which became available between the filing date of the earlier filed application and the filing date of this application.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint as my attorneys and/or patent agents those listed under the following Customer Number with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

022913
Customer Number

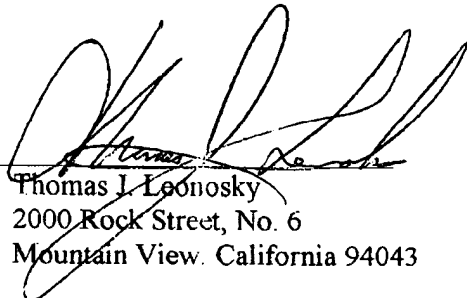
All correspondence and telephonic communications should be directed to:

Eric L. Maschoff, Reg. No. 36,596
Telephone: (801) 533-9800
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Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

DATED this 24 day of February, 2004.

Inventor:



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